



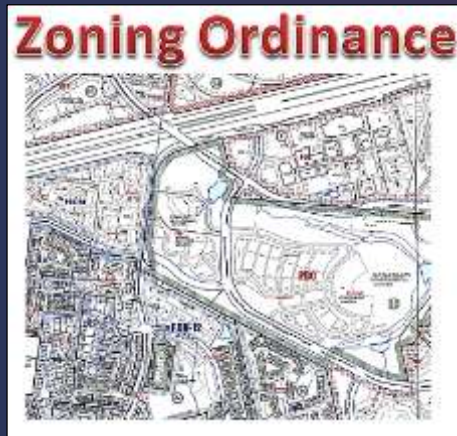
# Community Council on Land Use Engagement

## Overview of Zoning: The What, Why and How

Prepared by Zoning Administration Division,  
Department of Planning and Zoning

# What is Zoning?

- Regulates land uses and structures
- Creates distinct districts to allocate land uses
- Means of implementing Comprehensive Plan



# What are the Purposes of Zoning?

- To promote orderly development of land
- To protect the public health, safety and general welfare
- To encourage preservation of the natural environment & conservation of natural & historic resources
- To encourage positive economic development





# Zoning Ordinances

- Law – Body of Regulations and Map
- Divides the community into zoning districts and imposes different land use controls on each district
- Specifies the allowed uses of land and buildings
- The intensity or density of the uses, and
- Building bulk in terms of minimum setbacks, maximum building height and required open space

# Zoning Ordinance Overview

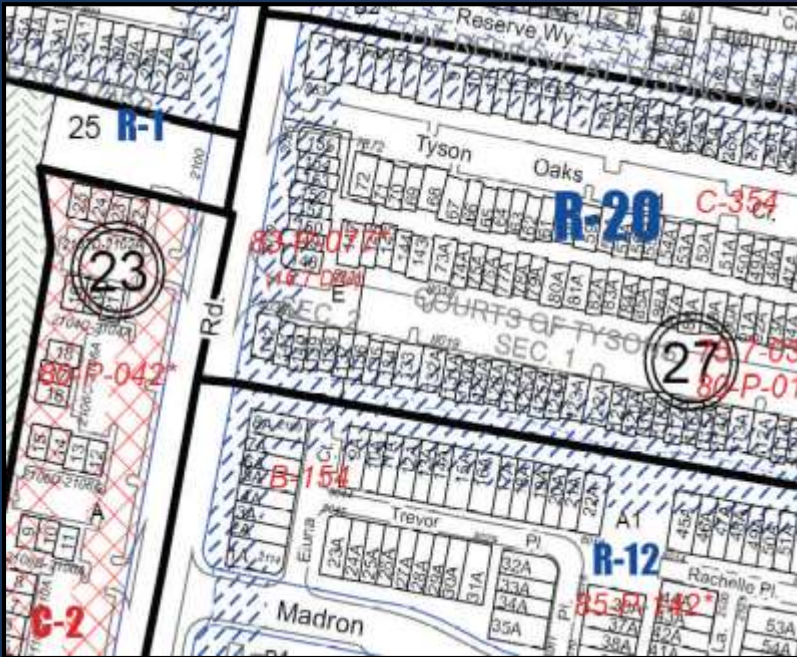
- Current Zoning Ordinance adopted in 1978
- Chapter 112 of the County Code
- Administered by the Zoning Administrator
- Consists of 20 Articles and 8 Appendices
  - General Regulations
  - District Regulations
  - Sign Regulations
  - Parking
  - Site Plans
  - Administration, Amendments



<http://www.fairfaxcounty.gov/dpz/zoningordinance/>

# Zoning District Types

- Residential
- Commercial
- Industrial
- Planned Development (or “P”) Districts
- Overlay Districts (Historic, Sign Control, Commercial Revitalization, Airport Noise, Water Supply Protection)



# Permitted Uses

- Uses permitted under their current zoning & do not require any legislative action.
- Comply with district regulations (setbacks, lot width, lot area, floor area ratio, height, use limitations, etc.).
- Approved administratively and do not require public hearings.





# Special Permit & Special Exception Uses

- Uses which can have an undue impact upon or be incompatible with other uses of land.
- May be allowed to locate within given designated zoning districts under the limitations of either a special permit or special exception.
- Must be in harmony with the Comprehensive Plan.
- Require Legislative Action by the Board of Supervisors or Board of Zoning Appeals.





# Zoning Ordinance Amendments

- Amended 450+ times since 1978.
- Trends, problems, new issues prompt need for amendments.
- Each year an amendments work program is approved by the Board of Supervisors (Board).
- Amendments must be authorized by the Board.
- Public Hearings before Planning Commission & Board.
- Board adopts.
- Only Newspaper Advertisement is Required for Public Hearings.
- Not site specific, apply County wide

# Amendment Process

## **Prior to Board Authorization:**

- Topic researched, issues identified, review best practices and ordinances of other jurisdictions
- Stakeholders identified, will vary depending on the nature of amendment and outreach conducted
- Amendment text drafted and presented to BOS Development Process Committee and stakeholders for feedback and policy direction
- Staff Report and proposed text prepared for Board Authorization

# Amendment Process

## After Board Authorization:

- Public Hearings scheduled and advertised
- Staff Report and Proposed Text published and distributed through email subscription list

*<http://www.fairfaxcounty.gov/email/lists/>*

- Posted to Zoning Ordinance Amendments web site  
*<http://www.fairfaxcounty.gov/dpz/zoningordinance/proposed/>*
- Planning Commission holds public hearing
- Forwards recommendation to Board
- Board holds public hearing and takes action

# Community Engagement Challenges

- Amendments are county wide vs. site specific
- Don't send individual notices
- Rely on County web site and List Serve  
Announcements to distribute and post information – often difficult to find information once posted
- Difficult to gauge interest in a particular amendment – often leads to concerns about transparency

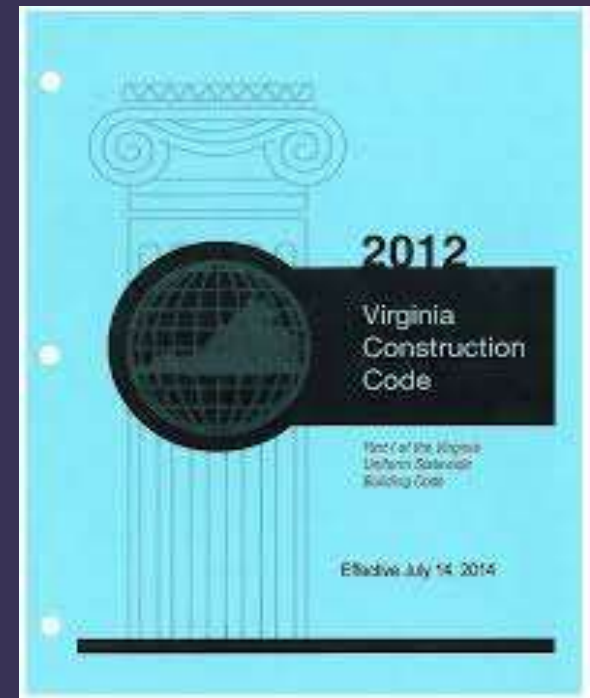
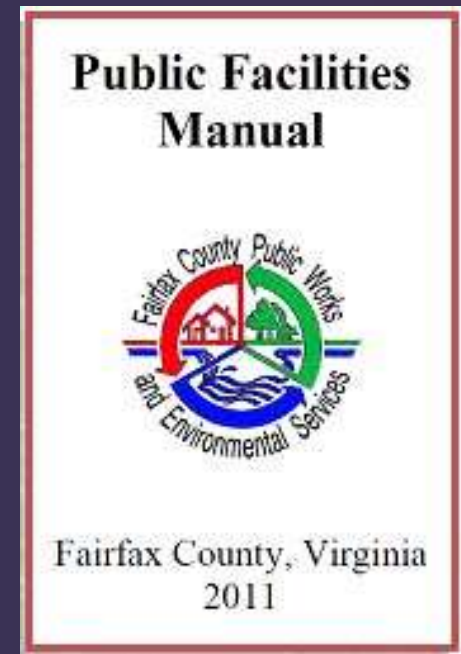
# Other Land Development Regulations

Regardless of whether a project is permitted or requires special permit, special exception or rezoning approval, other approvals will be required before the use can begin or the structure built and/or the use or structure is subject to some regulation.



# Other Regulations

- Subdivision Regulations
- Building Code
- Erosion and Sedimentation Control
- Chesapeake Bay Preservation
- Public Facilities Manual
- Stormwater Management Ordinance
- Tree Conservation Ordinance
- Noise Ordinance
- Problem Soils





# Other Development Regulations

- May be adopted by the Board and frequently based on other State or Federal mandated laws and regulation.
- Board adopts regulations after an advertised public hearing.
- May require public notice but not a public hearing (site plans and subdivision plans).
- Typically there are enforcement and appeal processes included in the regulations.

Questions and/or Comments?